

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

PACIFIC COAST STEEL, *et al.*, )  
vs. ) Plaintiffs, ) Case No. 2:09-cv-02190-KJD-PAL  
TODD LEE LEANY, *et al.*, ) )  
Defendants. )  
\_\_\_\_\_  
vs. ) Defendants. )  
\_\_\_\_\_  
Plaintiffs, )  
Defendants. )

**ORDER**

The court conducted a status conference on Tuesday, September 21, 2010 at the parties' request. James Kilroy and Paul Prior appeared on behalf of the Plaintiffs. Mark Hutchinson, Todd Prall, Ryan Lower and Matthew Johnson appeared on behalf of the Defendants.

Having reviewed and considered the number of matters and motions discussed at the hearing,

**IT IS ORDERED:**

1. The parties joint request for a status conference (Dkt. #128) is **GRANTED**. A status conference was conducted September 21, 2010. Additionally, the court will conduct a further status and dispute resolution conference on **Thursday, October 28, 2010 at 9:00 a.m.**
2. Defendants' Motion to Modify Discovery Plan and Scheduling Order and Motion for Leave to Take Three Additional Depositions (Dkt. #27) is **GRANTED in part** and **DENIED in part**. Defendants' motion to extend the discovery cutoff and related case management deadlines 120 days is **DENIED**. Defendants' request for leave to take an additional three (3) to four (4) deposition beyond the fifteen (15) the parties have mutually agreed upon is **GRANTED**. Counsel for the parties shall forthwith meet and confer to contact the additional deponents and schedule their deposition, if possible,

1 before the October 4, 2010 discovery cutoff. If the depositions cannot be taken before  
2 the October 4, 2010 discovery cutoff despite the exercise of due diligence, counsel shall  
3 schedule October 4, 2010 discovery cutoff and in no event later than thirty (30) days  
4 after the cutoff

- 5 3. Plaintiffs' Emergency Motion for Protective Order (Dkt. #131) is **GRANTED** to the  
6 extent that the depositions of Eric Benson and David Perkins shall each take place on  
7 two (2) consecutive days. The parties have stipulated that both stipulations could exceed  
8 seven (7) hours. However, Defendants scheduled David Perkins' deposition for two  
9 separate days a week apart, and also wish to take Mr. Benson's deposition on two non-  
10 consecutive days. Plaintiffs' Motion for Protective Order is **GRANTED** and both  
11 depositions shall take place on two consecutive days.
- 12 4. Counsel for the parties indicated that they have some additional discovery issues and are  
13 still in the process of meeting and conferring in an attempt to resolve them without the  
14 court's intervention. In addition, Defendants have filed a Motion for Leave to Re-  
15 Depose (Dkt. #126), Motion to Compel (Dkt. #130) and intend to file some additional  
16 motions. Both sides agree that the normal briefing period on Defendants' pending  
17 motions should be allowed and the matters addressed on the merits at the conclusion of  
18 the briefing.
- 19 5. The court will conduct a status and dispute resolution conference on **October 28, 2010**.  
20 The parties shall submit a joint status report no later than **4:00 p.m., October 25, 2010**.

21 Dated this 24<sup>th</sup> day of September, 2010.

22  
23   
24 Peggy A. Teen  
United States Magistrate Judge